

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**DARLENE C. AMRHEIN, et al.,  
Plaintiffs,**

**v.**

**JERRY RIECHERT, et al.,  
Defendants.**

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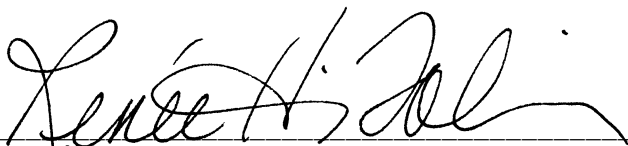
**3:12-CV-3707-G-BK**

**RECOMMENDATION REGARDING NON-PRISONER'S IFP STATUS ON APPEAL**

Before the Court are Plaintiffs' joint Notice of Appeal and their separate requests to proceed *in forma pauperis* on appeal. Upon consideration, it is recommended that the Court deny Plaintiffs' requests to proceed *in forma pauperis* on appeal (Doc. 64-65), and certify, pursuant to FED. R. APP. P. 24(a) and 28 U.S.C. § 1915(a)(3), that the appeal is not taken in good faith. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983) (an appeal is not taken in good faith when it fails to present non-frivolous issues).

**Although this appeal should be certified as not taken in good faith under 28 U.S.C. § 1915(a)(3) and FED. R. APP. P. 24(a)(3), Plaintiffs may challenge this finding by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within 30 days of this Order.**

SIGNED April 25, 2013.

  
RENEE HARRIS TOLIVER  
UNITED STATES MAGISTRATE JUDGE